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Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Dockets Nos. 05-196 and 04-36
Subscriber Notification Report

Dear Ms. Dortch:

NuVox Communications, Inc., by its attorneys and on behalf of itself and its state operating affiliates (collectively "NuVox"), hereby files the attached "Subscriber Notification Report" in accordance with the requirements set forth in the Federal Communication Commission's Public Notice, *Enforcement Bureau Provides Further Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning Enforcement of Subscriber Acknowledgement Requirement*, WC Docket Nos. 04-36 and 05-196, DA 05-2358 (rel. August 26, 2005). Please feel free to contact the undersigned if you have any questions or need additional information.

Sincerely,



Todd D. Daubert,
Counsel for NuVox Communications,
Inc.

Attachment

NuVox Communications, Inc.
Subscriber Acknowledgement Report September 1, 2005
WC Dockets 04-36 and 05-196

NuVox Communications, Inc. submits the following Subscriber Notification Report (“Report”) on behalf of itself and its state operating affiliates (collectively “NuVox”) updating the information contained in its August 10, 2005 report. This Report contains all of the information described in the Federal Communications Commission’s Public Notice, *Enforcement Bureau Provides Further Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning Enforcement of Subscriber Acknowledgement Requirement*, WC Docket Nos. 04-36 and 05-196, DA 05-2358 (rel. August 26, 2005) (“Public Notice”). Accordingly, NuVox has satisfied the first condition set forth in the Public Notice to qualify for immunity until September 28, 2005 from any enforcement action regarding the requirement that NuVox obtain affirmative acknowledgement by every existing subscriber. NuVox intends to satisfy the second condition by filing a similar report on September 22, 2005.

Detailed explanation regarding current compliance with the notice and warning requirements *if* the provider did not notify and issue warning sticker or labels to 100% of its subscribers by the July 29, 2005 deadline.

As stated in NuVox’s August 10, 2005 report, NuVox issued notices to 100% of its existing VoIP subscribers by the July 29, 2005 deadline. In the notices, NuVox informed each subscriber that a NuVox representative would be visiting the subscriber in person to distribute the E911 warning stickers that should be placed on or near the equipment used to access VoIP services. At this time, NuVox has delivered E911 warning stickers to 84% of its VoIP subscribers. NuVox has attempted to hand-deliver such warning stickers to all its subscribers but was unable in all instances to reach the customers and/or set up appointments. NuVox intends to either hand-deliver the stickers by September 15, 2005 or, if it has not been able to set up appointments, it will mail the stickers via certified mail, return receipt requested, to its remaining VoIP customers with instructions on where the customers should place the stickers.

Quantification of the percentage of the provider’s subscribers that have submitted affirmative acknowledgements by September 1, 2005 and an estimation of the percentage of subscribers from whom NuVox does not expect to receive an acknowledgement by September 28, 2005.

As of September 1, 2005, approximately 84% of NuVox’s subscribers have submitted an affirmative acknowledgement. NuVox respectfully submits that it is impossible to give a reliable estimate of the percentage of subscribers from whom it does not expect to receive acknowledgement by September 28, 2005. However, in order to satisfy fully the condition for immunity, NuVox estimates that between 0 % and 5 % of its subscribers will not have returned an acknowledgement by September 28, 2005.

Detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory.

As required by the FCC, on September 28, 2005, NuVox plans to disconnect any subscribers that do not return their acknowledgements.

Detailed description of any and all plans to use a “soft” or “warm” disconnect (or similar) procedure for subscribers that fail to provide affirmative acknowledgement by September 28, 2005 and, if the provider does not intend to use a “soft” or “warm”

NuVox currently is determining the technical, operation and financial feasibility of implementing a “soft” or “warm” disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgment by September 28, 2005.